

# NUCLEAR BAN DAILY

Civil society perspectives on the  
First Meeting of States Parties to the  
Treaty on the Prohibition of Nuclear Weapons

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Photo: Women's March to Ban the Bomb, June 2017 © David Field/WILPF

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Reaching Critical Will



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WOMEN'S INTERNATIONAL  
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# Building a World Free of Nuclear Weapons

Ray Acheson | Women's International League for Peace and Freedom

This historic moment of the First Meeting of States Parties (1MSP) to a treaty that categorically prohibits nuclear weapons is taking place during a time of active war among nuclear-armed states. Explicit threats to use nuclear weapons have been made, and fearmongering on all sides is running rampant. There have been attempts by mainstream media and political leaders to downplay the impacts of a potential nuclear war and normalise nuclear threats and risks, while simultaneously blaming each other for the deadly dangerous game afoot. It is against this bleak backdrop that responsible governments are gathering in Vienna to undertake the serious work of establishing the roadmap for implementing the Treaty on the Prohibition of Nuclear Weapons (TPNW).

The treaty itself is a landmark accomplishment. Supported by more than two-thirds of the members of the United Nations during its adoption in 2017, the TPNW has since been ratified by 61 countries and signed by 86. More governments are joining all the time, and others are attending 1MSP as observers. Hundreds of cities and towns around the world have called on their governments to join the TPNW and thousands of parliamentarians across the political spectrum have pledged to make that happen. Substantial amounts of money are being withdrawn from nuclear weapon producers by financial institutions like banks and pension funds. Organisers across the globe are working locally, nationally, and internationally to raise awareness of the TPNW and mobilise public support for nuclear abolition.

The nuclear game has changed. Over the last five years, and the many years leading up to the TPNW's adoption, nuclear deterrence theory has been challenged and the nuclear orthodoxy has been undermined. The perspectives and experiences of those with lived experience of

nuclear weapons, including from Indigenous and other affected communities, have finally started to be heard as an alternative to those who traditionally operate without accountability in the corridors of power. New relationships have been built, while strategies and lessons have been shared amongst those seeking justice and peace in our fraught world.

Over the next three days, this work continues. States gathered here at 1MSP will need to make decisions about key aspects of the TPNW's implementation. They will need to discuss and agree deadlines for disarmament and an end to nuclear sharing, institutional structures, provisions for victim assistance and environmental remediation. Recommendations from civil society for these measures are included in this preview edition of the Nuclear Ban Daily.

We are often told that we cannot make a difference, that the nuclear-armed states will never disarm, that we are just playing at the margins of great power politics, wasting our time. Despite these warnings, together we created the TPNW. At this meeting, we will solidify the framework to advance its goals.

We must constantly question the idea of what is possible and impossible. We must always challenge the notion of who gets to say what is possible and impossible. The nuclear-armed states deliberately designed and built weapons to commit atrocities. To destroy entire cities, to annihilate entire populations, to cause lasting harm to generations. This was their creation. Ours is a treaty that seeks to eliminate these heinous crimes against humanity and build a lasting foundation for international cooperation without weapons of mass destruction. Nuclear abolition is not a fanciful ambition, it is a practical possibility—and it is imperative for survival, for peace, and for justice.

# ICAN Policy Recommendations for 1MSP

International Campaign to Abolish Nuclear Weapons

The First Meeting of States Parties (1MSP) of the Treaty on the Prohibition of Nuclear Weapons (TPNW) is an important opportunity to advance the treaty's implementation and the goal of a nuclear-weapon-free world. 1MSP is a chance for states to adopt substantive policy documents to emphasise their commitment to the treaty and articulate specific actions they will take to implement it. These outcome documents may not be exhaustive of all the ways in which states may take action to implement the treaty but can be an important foundation and roadmap for states parties to take forward their legal obligations.

## Concrete actions for all states to begin the process to address nuclear harm with affected community involvement (Articles 6 & 7)

1MSP should agree on initial actions and structures for work going forward, seeking to develop a collaborative and constructive culture of work amongst states parties, international organizations and civil society. Implementation should center affected communities. Building in particular on experiences of previous humanitarian disarmament treaties, ICAN recommends that in the action plan states should:

- Agree on principles for implementation;
- Agree on actions for states that have assessed they have Article 6 obligations (affected states) as well as other states who can provide assistance. These should include committing to sharing information on their progress and working to develop informal reporting guidelines;
- Commit to action for the inclusion of affected communities and other stakeholders; and
- Establish a programme of intersessional work on the implementation of this area, including to consider creating an international trust fund for affected states.

## Concrete actions for all states to universalise the TPNW (Article 12)

ICAN recommends that universalisation be a priority at 1MSP, and that states parties adopt an action plan that implements concrete actions to promote universalization. ICAN has prepared for states parties and signatories a briefing note with more detailed background and recommendations, and ICAN has also published a **checklist** outlining actions that a state party might take to fulfill its Article 12 obligations in the context of United Nations forums, meetings of states parties, regional meetings, bilateral dealings, and in national contexts. ICAN recommends that states parties establish a framework to operationalize outreach (which could be formal or informal) to promote leadership (for example, by appointing regional leads), ownership and accountability (for example, establishing a reporting mechanism and actionable plans for intersessional periods).

## Setting the deadline for nuclear-armed states to eliminate nuclear weapons and host states to remove them (Article 4)

ICAN recommends that at 1MSP, states parties set a **deadline of 10 years** for the destruction of nuclear weapons, with a possible extension, as proposed by Zia Mian and Moritz Kütt of Princeton University. ICAN also recommends that states set a deadline of **three months** for the removal of nuclear weapons from a hosting state's territory, as proposed by Mian and Mütt.

## Establishing a body to provide scientific advice to states parties

ICAN recommends that at 1MSP, states parties adopt a decision establishing a scientific advisory board or group for the TPNW, to report publicly on nuclear weapons risks and consequences and assist with implementation. States should also adopt the terms of reference for this body, which may include the following roles and functions:

- Prepare regular scientific reports on nuclear weapons and disarmament, including on the humanitarian consequences of nuclear weapons use, risks of nuclear weapons use and on relevant developments in science and technology;
- Organise outreach events to communicate its findings to media, states not party to the TPNW and the broader public;
- Provide scientific and technical advice to states parties on TPNW implementation as requested; and
- Coordinate research and reporting with scientific and non-scientific experts in states and in civil society, in particular those most impacted by nuclear weapons use and testing.

### Renewed focus on gender, race, and other considerations

ICAN recommends that at 1MSP, states parties commit to diversifying their delegations and offices dealing with issues of disarmament, support continued studies on the gendered and racialised impacts of all nuclear weapon activities, and include gender, age, race, disability and socioeconomic considerations in their actions related to victim assistance (Article 6) and international cooperation and assistance (Article 7).

Additionally, states parties should consider the impact of gender norms on deliberations about nuclear weapons and confront, in international discourse, the patriarchal notions about security that preclude disarmament.

## ICAN Backgrounder: Programme of Work

International Campaign to Abolish Nuclear Weapons

The following is ICAN's background information and recommendations for the programme of work for 1MSP.

### Agenda item 11(a). Declarations regarding the ownership, possession or control of nuclear weapons (article 2)

Article 2 requires States Parties to submit a declaration within 30 days of joining the TPNW a declaration about its nuclear weapon status.

#### Article 2 of the Treaty:

1. Each State Party shall submit to the Secretary-General of the United Nations, not later than 30 days after this Treaty enters into force for that State Party, a declaration in which it shall:

- a. Declare whether it owned, possessed or controlled nuclear weapons or nuclear explosive devices and eliminated its nuclear-weapon programme, including the elimination or irreversible conversion of all nuclear-

weapons-related facilities, prior to the entry into force of this Treaty for that State Party;

- b. Notwithstanding Article 1 (a), declare whether it owns, possesses or controls any nuclear weapons or other nuclear explosive devices;

- c. Notwithstanding Article 1 (g), declare whether there are any nuclear weapons or other nuclear explosive devices in its territory or in any place under its jurisdiction or control that are owned, possessed or controlled by another State.

2. The Secretary-General of the United Nations shall transmit all such declarations received to the States Parties.

### Agenda item 11(b). Universality (article 12)

Article 12 of the TPNW requires states parties to encourage other states to join the treaty, with the ultimate goal of having every country in the world

join the treaty. The points below outline potential actions that TPNW states parties might consider in implementing their Article 12 obligations.

*Key points and relevant articles of the Treaty:*

Article 12 of the TPNW provides: “Each State Party shall encourage States not party to this Treaty to sign, ratify, accept, approve or accede to the Treaty, with the goal of universal adherence of all States to the Treaty.”

Fulfilling the obligations under Article 12 of the TPNW is crucial to the treaty’s success, because as signatures, ratifications, and accessions to the TPNW grow over time:

- the prohibitions and obligations under the TPNW will protect more of humanity;
- the treaty’s norms will become more deeply entrenched and more widely observed and accepted, including even among states that do not join;
- the imperative for states not party to join will increase; and
- the pressure to cease maintaining and supporting nuclear weapons will increase.

Article 5 of the TPNW provides: “Each State Party shall adopt the necessary measures to implement its obligations under this Treaty.” The text of the treaty does not provide specific guidance as to how states must fulfill their obligations under Article 12.

The Preamble of the TPNW recognises “the catastrophic humanitarian consequences that would result from any use of nuclear weapons” and the “consequent need to completely eliminate such weapons”. In this context, the Preamble emphasises that the risks posed by the continued existence of nuclear weapons “concern the security of all humanity, and that all States share the responsibility to prevent any use of nuclear weapons.”

Universalisation should be qualitative as well as quantitative. States parties must stress to

states not party the importance both of joining the TPNW and, even and before a state joins, acting consistently with the TPNW’s provisions, and otherwise supporting the objectives and implementation of the TPNW.

*Further reading:*

ICAN, [Article 12 Checklist](#), June 2021.

**Agenda item 11(c). Deadlines for the removal from operational status and destruction of nuclear weapons and other nuclear explosive devices, and their removal from national territories (article 4)**

Article 4 of the TPNW creates a pathway for nuclear armed states and host countries to join the treaty. It explicitly establishes that states parties to the TPNW must set a deadline for the destruction of a state party’s nuclear weapons (Article 4(2)) and for the removal of a foreign state’s nuclear weapons (hosting arrangements) (Article 4(4)) at the First Meeting of States Parties.

*Key points/relevant articles of the Treaty:*

Article 4(2) of the TPNW obligates states parties that continue to own, possess, or control nuclear weapons or other nuclear explosive devices upon becoming party to the Treaty to immediately remove the weapons or devices from operational status and to destroy them as soon as possible but not later than a deadline to be determined by the First Meeting of States Parties.

Under Article 4(4), any state party with foreign nuclear weapons in its territory or in any other place under its jurisdiction or control is obligated to ensure their prompt removal as soon as possible but not later than a deadline to be determined by the First Meeting of States Parties.

The text of the Treaty does not provide a definition for a nuclear weapon or for nuclear weapon destruction.

The size of the nuclear armed states’ arsenals varies vastly and the time required to destroy them will differ. A study by Princeton University

researchers recommends a 10 year deadline for the destruction of nuclear weapons. A significantly shorter deadline of three months may be set for nuclear hosting states.

*Further reading:*

Moritz Kütt & Zia Mian (2019) Setting the Deadline for Nuclear Weapon Destruction under the Treaty on the Prohibition of Nuclear Weapons, *Journal for Peace and Nuclear Disarmament*, 2:2, 410-430, DOI: [10.1080/25751654.2019.1674471](https://doi.org/10.1080/25751654.2019.1674471)

Moritz Kütt & Zia Mian (2022) Setting the Deadline for Nuclear Weapon Removal from Host States under the Treaty on the Prohibition of Nuclear Weapons, *Journal for Peace and Nuclear Disarmament*, DOI: [10.1080/25751654.2022.2046405](https://doi.org/10.1080/25751654.2022.2046405)

**Agenda item 11(d). Competent international authority, including verification (article 4)**

In addition to the destruction of their weapons, the TPNW also requires nuclear-armed states to irreversibly eliminate their nuclear weapon programs and convert all nuclear-weapons-related facilities under a verified plan negotiated between the joining state and a treaty-designated “competent international authority.” Unlike the question of deadlines, the question of competent international authority does not need to be decided upon at the first MSP and the decision could be taken once a nuclear-armed state decides to join the TPNW.

*Key points/relevant articles of the Treaty:*

Article 4(1) of the TPNW establishes that “Each State Party that after 7 July 2017 owned, possessed or controlled nuclear weapons or other nuclear explosive devices and eliminated its nuclear-weapon programme, including the elimination or irreversible conversion of all nuclear-weapons-related facilities, prior to the entry into force of this Treaty for it, shall cooperate with the competent international authority designated pursuant to paragraph 6 of this Article for the purpose of verifying the irreversible elimination of its nuclear-weapon programme. The competent international authority shall

report to the States Parties. Such a State Party shall conclude a safeguards agreement with the International Atomic Energy Agency sufficient to provide credible assurance of the non-diversion of declared nuclear material from peaceful nuclear activities and of the absence of undeclared nuclear material or activities in that State Party as a whole.

Article 4(6) of the TPNW establishes that “the States Parties shall designate a ‘competent international authority or authorities’ to negotiate and verify the irreversible elimination of nuclear-weapons programs, including the elimination or irreversible conversion of all nuclear-weapons-related facilities in accordance with paragraphs 1, 2 and 3 of this Article.

According to the Nuclear Weapons Ban Monitor “The TPNW explicitly assigns some verification responsibilities to the IAEA. Several experts have suggested that the states parties to the TPNW should establish one or more new authorities in addition to the IAEA, which would cooperate with the IAEA and other relevant organisations through a division of tasks.”

Article 4(6) of the TPNW states that, “in the event that such a designation has not been made prior to the entry into force of this Treaty for a State Party to which paragraph 1 or 2 of this Article applies, the Secretary-General of the United Nations shall convene an extraordinary meeting of States Parties to take any decisions that may be required.”

At the 1MSP, states parties should agree to pursue further discussions during the intersessional period towards developing a coherent approach on a matter related to a competent international authority or authorities, from the general obligations to specific mandate and guidance for the designation of international authorities and to elaborate on the specific requirements of extension requests related to Article 4 of the Treaty.

*Further reading:*

A group of experts at Princeton University and Harvard University have **recommended** a

phased approach, with the early establishment of a two-part organisational structure, comprising an implementation support unit and a dedicated scientific and technical advisory body. This would enable substantive work to identify implementation and verification challenges and finding solutions by the time one or more nuclear-armed states join the Treaty, and the structure could then be scaled up.

Thomas Shea provides **recommendations** on the TPNW verification system in this September 2020 policy brief.

### **Agenda item 11(e). Victim assistance, environmental remediation and international cooperation and assistance (articles 6 and 7)**

Articles 6 and 7 of the TPNW – on victim assistance, environmental remediation, and international cooperation and assistance – provide the first international framework for addressing the ongoing humanitarian, human rights, and environmental consequences of the past use and testing of nuclear weapons. Their implementation gives a crucial opportunity to better address affected peoples' rights and needs as well as environmental contamination.

Articles 6 and 7 allow states parties to commence substantial work, with a practical impact for affected communities, including individuals and families, without the participation of nuclear-armed or endorsing states. The framework of responsibility for implementation created by Articles 6 and 7 emphasizes collective action amongst all TPNW Parties to support affected States Parties in assisting people and remediating contaminated environments. They do not focus on liability (but do not affect states' and others' ability to pursue redress through other channels, nor any arrangements or agreements for response already in place).

Understanding and responding to ongoing harm from nuclear weapons is not simple, because of the nature of nuclear weapons' impacts, including from internal exposure, and how they have been used and tested (which has involved deliberate secrecy, racism and colonialism). Victim assistance and environmental remediation under

the TPNW are long-term tasks to be gradually and progressively realized. Work will likely need to be phased and prioritized. The key task for the Meeting of States Parties should be to put in place strong foundations for work going forward, such as agreeing principles for implementation, initial plans of action, and developing an empowering and supportive way of working amongst states parties and other stakeholders – including centring affected communities, and particularly marginalized groups.

#### *Key points/relevant articles of the Treaty:*

Article 6(1) requires states parties to “adequately provide age- and gender-sensitive assistance” to individuals under their jurisdiction affected by the use and testing of nuclear weapons. This assistance should be in accordance with international humanitarian and human rights law, and may include “medical care, rehabilitation and psychological support, as well as provide for their social and economic inclusion.” The language in Article 6(1) draws from standards developed under the Anti-Personnel Mine Ban Treaty and Convention on Cluster Munitions. These treaties have developed a concept of ‘victim assistance’ based on responding to and addressing the effects on individuals' rights of the ongoing impacts of prohibited weapons

Article 6(2) requires states parties with areas “contaminated as a result of activities related to the testing or use of nuclear weapons or other nuclear explosive devices” under their jurisdiction or control to take “necessary and appropriate measures towards the environmental remediation” of these areas

Article 7 on international cooperation and assistance sets out the right of states parties to seek and receive assistance, and requires those in a position to do so to provide this, including through other institutions and agencies (such as the UN and Red Cross)

Article 6(3) emphasizes that these obligations do not affect any other agreements with or obligations of other states. Article 7(6) emphasizes that any state that has used or tested nuclear weapons that joins the TPNW

has a responsibility to provide assistance to affected states parties for victim assistance and environmental remediation

There are currently four states parties to the TPNW and one signatory state with populations that have identified themselves as having been affected by past nuclear use or testing. These are: Algeria, Kazakhstan and Kiribati, whose present-day territories were subjected to testing; and Fiji and New Zealand, some of whose military veterans were present in the vicinity of tests or the aftermath of the atomic bombings of Japan.

States parties should include actions to implement Articles 6 and 7 in outcome documents including:

- Agreeing on principles for implementation;
- Agreeing on actions for states that have assessed they have Article 6 obligations (affected states) as well as other states who can provide assistance. These should include committing to sharing information on their progress and working to develop informal reporting guidelines;
- Committing to action for the inclusion of affected communities and other stakeholders
- Establishing a programme of intersessional work on the implementation of this area, including to consider creating an international trust fund for affected states.

*Further reading:*

**Recommendations from Japanese Civil Society on Articles 6 & 7 of the Treaty on the Prohibition of Nuclear Weapons for the First Meeting of States Parties**, Peace Boat, 31 May 2022.

**Protocols for Seeking Nuclear Truth with Integrity**, Nuclear Truth Project, 2022.

Bonnie Docherty, **From Obligation to Action: Advancing Victim Assistance and Environmental Remediation at the First Meeting of States Parties to the Treaty on the**

**Prohibition of Nuclear Weapons**, Journal for Peace and Nuclear Disarmament, 2020

**Agenda item 11(f). National implementation measures (article 5)**

All states parties to the TPNW are required to take ‘the necessary measures’ to implement their obligations under the Treaty. Appropriate national legislation should be adopted by all states parties that do not yet have adequate laws in place.

*Key points/relevant articles of the Treaty:*

Article 5(1) of the TPNW requires that every state party take “the necessary measures to implement its obligations under this Treaty”. It applies to all of the Treaty’s obligations - prohibitions as well as positive obligations.

Article 5(2) stipulates that the duty to implement the Treaty nationally includes taking “all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress” any prohibited activity. It concerns any such activity whether it is undertaken by natural or legal persons under its jurisdiction or territory under its jurisdiction or control.

Depending on the state’s domestic law and procedure, specific domestic legislation may need to be adopted and the regulations governing the armed forces amended. Some states, for example Ireland, have **adopted legislation** specific to the TPNW.

Other states may have relevant existing legislation on nuclear weapons, due to prior obligations under nuclear-weapon-free zones, UN Security Council Resolution 1540, the Comprehensive Test Ban Treaty and the Nuclear Non-Proliferation Treaty. For example, the parliament of New Zealand **concluded** the country was “able to ratify the Treaty in good faith without the need for legislative change.”

*Further reading:*

The ICRC has prepared a **model law** for common-law states which serves as a valuable

basis for states parties to draft and enact suitable legislation.

Nuclear Weapons Ban Monitor: **The obligation to adopt national implementation measures.**

### **Agenda item 11(g)(i). Institutionalizing scientific and technical advice for the effective implementation of the Treaty**

International treaties, including several treaties governing weapons like the Chemical Weapons Convention and Comprehensive Test Ban Treaty, have created Scientific Advisory Boards, composed of independent experts to provide scientific and technical advice to states parties and to report on developments in science and technology relevant to the treaty.

The **International Panel on Climate Change**, established by UN Environment and the World Meteorological Organization in 1988, has a slightly broader and more public mandate than these treaty-based advisory bodies. The IPCC prepares reports on climate change, including three working groups: Working Group I (on the physical scientific basis on climate change), Working Group II (on impacts, adaptation and vulnerability), and Working Group III (on the mitigation of climate change). The IPCC also organizes various outreach events to communicate its findings.

At the TPNW 1MSP, states parties should adopt a decision establishing a scientific advisory board or group for the TPNW, to report publicly on nuclear weapons risks and consequences and assist with implementation. States should also adopt the terms of reference for this body, which may include the following roles and functions:

- Prepare regular scientific reports on nuclear weapons and disarmament, including on the humanitarian consequences of nuclear weapons use, risks of nuclear weapons use and on relevant developments in science and technology;
- Organise outreach events to communicate its findings to media, states not party to the TPNW and the broader public;
- Provide scientific and technical advice to states parties on TPNW implementation as requested;
- Coordinate research and reporting with scientific and non-scientific experts in states and in civil society, in particular those most impacted by nuclear weapons use and testing.

### **Agenda item 11(g)(ii). Intersessional structure for the implementation of the Treaty**

States will need to continue work on the treaty in between the formal meeting of states parties and review conferences and establish a coordination structure to facilitate this. The Convention on Cluster Munitions, Anti-Personnel Mine Ban Treaty and Arms Trade Treaty have established several different models of coordinating intersessional work.

The Convention on Cluster Munitions established thematic coordinators on: universalization; stockpile destruction; clearance and risk reduction education; victim assistance; international cooperation and assistance; transparency measures; national implementation measures and; general status and operation. A **Coordination Committee** composed of the President of the current Review Cycle, the President-designate, the previous President and the coordinators meet monthly.

The Anti-Personnel Mine Ban Treaty **currently has** thematic committees on: Article 5 Implementation; Cooperative Compliance; Victim Assistance and Enhancement of Cooperation and Assistance. A Coordinating Committee also comprised of the three President, current, past and future, directs the intersessional work. The Third Review Conference established that informal intersessional meetings take place once a year, and “need not be longer than two days.”

The Arms Trade Treaty has established **three working groups** on effective treaty implementation, transparency and reporting and treaty universalisation, which each meet at least twice in between Meetings of States Parties. The **ATT Secretariat** coordinates intersessional work.

The TPNW 1MSP should establish an intersessional structure of work including the creation of standing committees or thematic coordinators to meet at least twice annually. Virtual meetings may be considered. Themes addressed by these committees or coordinators should address, at a minimum, Victim Assistance, Environmental Coordination and International Cooperation and Assistance, and Universalisation. The 1MSP may also establish a Coordinating Committee to coordinate intersessional work. Intersessional meetings should be inclusive of all states-parties, relevant international organisations and civil society. States in a position to do so may support the participation of other states parties via technical or other means.

#### **Agenda item 11(g)(ii). Complementarity of the Treaty with the existing nuclear disarmament and non-proliferation regime**

The Treaty on the Prohibition of Nuclear Weapons is fully compatible with and complementary to other international nuclear weapons treaties, including the Nuclear Non-Proliferation Treaty and the Comprehensive Test Ban Treaty, as well as broader UN regimes like the Sustainable Development Goals as has been reaffirmed in numerous government studies and legal opinions.

The TPNW complements the Nuclear Non-Proliferation Treaty, including by strengthening the IAEA safeguards regime and implementing Article VI. The 2010 **outcome document** of the NPT welcomed attention and response to issues caused by former nuclear weapons programmes (including safety, contamination, and economic impacts), and encouraged assistance to affected states with environmental remediation (paragraphs 70/71): Articles 6 and 7 of the TPNW elaborate a holistic structure of response to the humanitarian and environmental legacies of past use and testing that is complementary to this. The TPNW complements the Comprehensive Test Ban Treaty, including by establishing an international prohibition on nuclear testing that has entered into force and creating a regime under Article 6 and 7 to assist victims of nuclear weapons testing.

The TPNW also addresses the UN Sustainable Development Goals, namely goals 2, 3, 4, 6, 10, 11, 13, 14, 15, 16, which are incompatible with the existence and risk of use of nuclear weapons. Furthermore, nuclear weapons are incompatible with international law more broadly, including international humanitarian law and international human rights law as a **violation of the right to life**.

## ICAN Recommended Speaking Points for 1MSP

International Campaign to Abolish Nuclear Weapons

The following are ICAN's recommendations for TPNW states parties to consider including in their statements during 1MSP.

#### **Agenda item 10. General exchange of views**

- Express deep concern at the continued risk for humanity and the planet represented by the continued possession and modernisation of nuclear weapons and the catastrophic humanitarian and environmental consequences that would result from the use of nuclear weapons;
- Acknowledge that the catastrophic consequences of nuclear weapons cannot be adequately addressed, transcend national borders, pose grave implications for human survival, the environment, socioeconomic development, the global economy, food security and the health of current and future generations, and have a disproportionate impact on women and girls, including as a result of ionizing radiation;
- Condemn in the strongest terms recent threats to use nuclear weapons by Russia and other nuclear-armed states, which

are flagrant violations of international law, including the Charter of the United Nations;

- Acknowledge the disproportionate impact of nuclear weapons activities on Indigenous peoples and people of colour and recognize their contributions to the nuclear disarmament movement;
- Welcome that the Treaty on the Prohibition of Nuclear Weapons is advancing the norm against nuclear weapons and already leading to tangible results even in states that have yet to join the treaty, including financial institutions that have divested from the companies that produce nuclear weapons and cities that have adopted resolutions calling on their governments to join the TPNW, alongside hundreds of parliamentarians around the world;
- Affirm that the complete abolition of nuclear weapons is the only practical response to the threats and risks posed by these illegal, illegitimate weapons of mass destruction;
- Reiterate that nuclear weapons do not contribute to international or national security and call on all nuclear-armed states to renounce nuclear deterrence theories and eliminate their nuclear weapon programmes;
- Commit to working in partnership with and recognize the valuable contribution to international disarmament of the United Nations, the International Red Cross and Red Crescent Movement, other international and regional organizations, the International Campaign to Abolish Nuclear Weapons and other non-governmental organizations, religious leaders, parliamentarians, academics, Indigenous people(s), hibakusha, survivors of nuclear testing, and youth groups;
- Articulate that Article 1(f) of the Treaty, which prohibits assistance with the other acts prohibited under Article 1, includes a prohibition on investments in producers of nuclear weapons.

#### **Agenda item 11(a). Declarations regarding the ownership, possession or control of nuclear weapons (article 2)**

- Report that they have completed their Article 2 obligation to submit a declaration regarding the ownership, possession or control of nuclear weapons, or on their progress to complete such a declaration.

#### **Agenda item 11(b). Universality (article 12)**

- Affirm that action on universalisation is a priority at the First Meeting of States Parties;
- Recommend that the First Meeting of States Parties establish a framework to operationalize outreach to other states to promote leadership (for example, by appointing regional leads) and accountability (for example, by establishing a reporting mechanism and actionable plans for intersessional periods);
- Support the proposed actions in the Draft Vienna Action Plan to implement universalization of the TPNW, including: through diplomatic demarches, outreach visits, and statements in relevant fora, conducting workshops and seminars, engaging with states both supportive of the TPNW and those not, and raising awareness of the TPNW and humanitarian consequences of nuclear weapons;
- Report on any actions they have taken to implement Article 12 since entry into force.

ICAN recommends that signatory states and other observers:

- Announce their intention to become states parties to the TPNW at the earliest opportunity and report on their progress towards that end.

**Agenda item 11(c). Deadlines for the removal from operational status and destruction of nuclear weapons and other nuclear explosive devices, and their removal from national territories (article 4)**

- Recommend that 1MSP set a deadline of 10 years for the destruction of nuclear weapons, with a possible extension;
- Recommend that states set a deadline of 90 days for the removal of nuclear weapons from a hosting state's territory.

**Agenda item 11(d). Competent international authority, including verification (article 4)**

- Welcome the action in the Draft Vienna Action Plan to recommend that states parties pursue further discussions during the intersessional period towards developing a coherent approach on a competent international authority or authorities, from the general obligations to specific mandate and guidance for the designation of international authorities;
- Welcome the action in the Draft Vienna Action Plan to recommend that in the intersessional period states parties elaborate on the specific requirements of extension requests related to Article 4 of the Treaty.

**Agenda item 11(e). Victim assistance, environmental remediation and international cooperation and assistance (articles 6 and 7)**

- Highlight their concern at the ongoing humanitarian and environmental impacts of past nuclear weapons use and testing, including recognising that the rights and needs of many affected individuals and communities have not been adequately addressed and that they have often been marginalized. The harms experienced by communities have been various (from health impacts to displacement and socio-economic marginalization) and reached across generations. Indigenous peoples, women and girls have been disproportionately impacted;

- Stress their determination to take steps towards addressing these ongoing impacts together through Articles 6 and 7, which will be a long-term task progressively realized by states parties, and welcome the steps proposed in the Draft Vienna Action Plan as strong foundation for future work; recognise that Articles 6 and 7 provide an opportunity to improve standards and responses for affected communities, and are an area where the TPNW could make a unique contribution;
- Commit to implement Articles 6 and 7 according to the principles of accessibility, inclusivity, transparency, and non-discrimination; reaffirm other principles contained in Articles 6 and 7 including age- and gender- sensitivity, and implementation according to international human rights and humanitarian law;
- Recognise the importance of centring affected communities, including families and individuals; their knowledge, expertise and advocacy; and the realization and protection of their rights, in the implementation of Articles 6 and 7, and of collaborating with them at all stages of implementation;
- Recognise the importance of partnership and inclusive ways of working among states parties, international organizations, civil society, Indigenous Peoples and affected communities in implementation;
- Affirm commitment to taking the initial, practical actions included in the Draft Vienna Action Plan in this area, including for example: appointing a national focal point on this subject; coordinating on cooperation and assistance; engaging with states not party; sharing information on work done; and contributing to intersessional discussion;
- Welcome the commitment of affected states to begin work on initial assessments and plans and to share information, through which other states parties can understand their needs;
- Welcome intersessional discussion on: guidelines and formats for reporting; the

possible establishment of an international trust fund; and guidelines for ensuring age- and gender-sensitive victim assistance, taking into account precedents;

- Call on all those that share the humanitarian objectives of addressing nuclear harm to support states parties' work to implement Articles 6 and 7;
- Declare and outline any ongoing humanitarian and environmental impact of nuclear weapons use and testing in their territories or populations under their jurisdiction.

#### **Agenda item 11(f). National implementation measures (article 5)**

- Report on measures they have taken to implement the TPNW in their national legislation and policies.
- Recommend that after 1MSP, states parties that have not yet done so will review existing national legislation, regulations and administrative measures to ensure that they have appropriate measures in place to fully implement the TPNW, in accordance with the ICRC Model Law for the Treaty on the Prohibition of Nuclear Weapons.
- Encourage states parties to require that state-owned enterprises fully integrate the TPNW prohibition on all forms of assistance throughout their operations, as role models, by ending any financing relationships with entities involved in prohibited activities, and encourage states parties to incorporate best practices from the FATF Proliferation Financing Controls including how both public and private sectors should conduct risk assessments in the context of financing assistance, and how they can mitigate the risks they identify to ensure that obligations under the treaty are extended to both state and non-state (including private sector) actors within their jurisdiction.

#### **Agenda item 11(g)(i). Institutionalizing scientific and technical advice for the effective implementation of the Treaty**

- Support the establishment of the Scientific Advisory Group aiming at assisting states parties in implementing the Treaty.
- Encourage gender balance and geographic spread in nominations for experts to the Group.
- Encourage this body to carry out the following functions:
  - Prepare regular scientific reports on nuclear weapons and disarmament, including on the humanitarian consequences of nuclear weapons use, risks of nuclear weapons use and on relevant developments in science and technology;
  - Organise outreach events to communicate its findings to media, states not party to the TPNW and the broader public;
  - Provide scientific and technical advice to states parties on TPNW implementation as requested;
  - Coordinate research and reporting with scientific and non-scientific experts in states and in civil society, in particular those most impacted by nuclear weapons use and testing.

#### **Agenda item 11(g)(ii). Intersessional structure for the implementation of the Treaty**

- Recommend that the First Meeting of States Parties establish an intersessional structure of work including the creation of informal working groups to meet at least every quarter.
- Recommend that themes addressed by these committees or coordinators should address, at a minimum, Victim

Assistance, Environmental Coordination and International Cooperation and Assistance, Universalisation and implementation of Article 4.

- Recommend that the First Meeting of States Parties establish a Coordinating Committee to coordinate intersessional work, including the ICRC and ICAN.
- Recommend that intersessional meetings should be open to all states parties, relevant international organisations and civil society.
- Welcome the action in the Draft Vienna Action Plan to encourage states to begin work during the intersessional period to develop guidelines for gender mainstreaming in international cooperation and assistance, taking into account relevant approaches in other humanitarian disarmament instruments.

#### **Agenda item 11(g)(ii). Complementarity of the Treaty with the existing nuclear disarmament and non-proliferation regime**

- The TPNW is fully compatible with and complementary to other international nuclear weapons treaties, including the Nuclear Non-

Proliferation Treaty and the Comprehensive Test Ban Treaty, as well as broader UN regimes like the Sustainable Development Goals as has been reaffirmed in numerous government studies and legal opinions.

- The TPNW complements the Nuclear Non-Proliferation Treaty, including by strengthening the IAEA safeguards regime and implementing Article VI.
- The TPNW complements the Comprehensive Test Ban Treaty, including by establishing an international prohibition on nuclear testing that has entered into force and creating a regime under Article 6 and 7 to assist victims of nuclear weapons testing.
- The TPNW addresses the UN Sustainable Development Goals, namely goals 2, 3, 4, 6, 10, 11, 13, 14, 15, 16, which are incompatible with the existence and risk of use of nuclear weapons.
- Furthermore, nuclear weapons are incompatible with international law more broadly, including international humanitarian law and international human rights law as a violation of the right to life.

## **Don't Normalise Nuclear Weapons—Abolish Them**

Ray Acheson | Women's International League for Peace and Freedom

*The following article was **published** by WILPF in April 2022 as part of its **blog series** on Ukraine.*

At the outset of his invasion of Ukraine, Russian President Vladimir Putin **declared** that other countries “will face consequences greater than any you have faced in history” if they intervened. A few days later, he **ordered** Russian nuclear forces to be put on a heightened alert status. Former Russian President Dmitry Medvedev later **outlined** possible scenarios for the use of nuclear weapons and Russian Defence Minister Sergei Shoigu **said** that maintaining “readiness of strategic nuclear forces” remains a priority. A

Russian government spokesperson then said that Russia would only consider the use of nuclear weapons if there was an “existential threat” to Russia.

The words and actions of Putin and other Russian officials have elevated the risks and dangers of nuclear war back into mainstream consciousness. But the threat of nuclear weapons is not limited to the Russian government. Eight other governments—those of China, Democratic People's Republic of Korea, France, India, Israel, Pakistan, the United Kingdom, and the United Kingdom and the United States—also possess nuclear weapons, and US nuclear bombs are

stored on the territory of five other North Atlantic Treaty Organisation (NATO) members—Belgium, Germany, Italy, Netherlands, and Turkey.

Each and every one of these bombs is a threat to peace and security. Nuclear weapons are not abstract “tools” that maintain global peace and security. They are weapons of mass destruction. They create instability, enable horrific violence, and risk life on the planet. As the Human Rights Committee **declared** in 2018, nuclear weapons “are of a nature to cause destruction of human life on a catastrophic scale that is incompatible with respect for the right to life.”

Yet it seems as if mainstream media and so-called experts from nuclear-armed countries are trying to normalise this threat, suggesting that yes, Putin might use nuclear weapons, and maybe the consequences wouldn't be as bad as some suggest.

### Technostrategic-speak

There have been many demands for NATO to impose a “no-fly zone” over Ukraine to end Russia's airstrikes against Ukrainian cities, with little regard for the fact that this could very well lead to the use of nuclear weapons by Russia or all-out nuclear war. Instead, some politicians and commentators are suggesting that a no-fly zone is worth the risk of Russia using what are misleadingly called “tactical” nuclear weapons. Others are escalating the rhetoric of potential nuclear war, arguing that Putin is “irrational” and likely to use them, or that the Russian government sees a nuclear exchange as a “viable strategy”.

In this apparent attempt to either push for or at least normalise the prospect of nuclear war, much of the focus is on the type of nuclear weapon that Putin is “expected” to use. *The New York Times* **describes** tactical nuclear weapons as “smaller bombs,” “lesser nuclear arms,” “less destructive by nature,” “much less destructive,” and having “variable explosive yields that could be dialed up or down depending on the military situation.”

Even while acknowledging that one of these weapons, if detonated in Midtown Manhattan,

would kill or injure half a million people, the Times suggests that the use of these weapons is “perhaps less frightening and more thinkable.” The article says the billions of dollars that the Obama administration spent on nuclear weapons went towards “improving” US tactical nuclear weapons and turning them into “smart bombs” that “gave war planners the freedom to lower the weapons' variable explosive force,” would have a “high degree of precision,” and would lower “the risk of collateral damage and civilian casualties.”

Thus, even in an article warning that tactical nuclear weapons could lead to lowering the threshold for their use, it takes up significant space and employs a range of descriptors to suggest that these weapons would cause less destruction if used.

Focusing on the details of the size or type of bomb, Russian nuclear forces expert Pavel Podvig **notes**, misses an important point: “That bringing nuclear weapons into this conflict, in whatever shape or form, ought to be unacceptable, deplorable, and criminal.” Nuclear war-gaming distracts from this message, he argues, shifting the discussion in the direction of what weapon could be used and how “effective” it could be. “What it does is it normalizes nuclear weapons, making it look like this is all about cost and benefit, political calculation, or military utility.” These discussions condition people into believing that all this is somehow normal. “Let's keep the message simple,” Podvig urges. “Even the thought of involving nuclear weapons in this conflict should be considered unacceptable.”

### The reality of nuclear violence

Measured in terms of destructive force and capacity to kill, there is nothing small about any nuclear weapon. Russian tactical nuclear weapons have an estimated **yield** of 10 to 100 kilotons. The yield reflects the amount of energy released when a nuclear weapon explodes. One kiloton has an explosive force equivalent to that of 1,000 metric tons of TNT.

The bomb detonated by the United States over Hiroshima in 1945 was estimated to be about 15 kilotons; the one over Nagasaki was 22 kilotons.

Approximately 140,000 people died from the bomb in Hiroshima and 70,000 in Nagasaki by the end of 1945. Many more died after from radiation and burns.

The **experience** of a nuclear weapon detonation says even more than the numbers.

Setsuko Thurlow, who was 13 years old at the time of the Hiroshima bombing, witnessed her city “blinded by the flash, flattened by the hurricane-like blast, burned in the heat of 4,000 degrees Celsius and contaminated by the radiation of one atomic bomb.” She has **described** the experience in vivid detail through countless testimony:

A bright summer morning turned to dark twilight, with smoke and dust rising in the mushroom cloud, dead and injured covering the ground, begging desperately for water and receiving no medical care at all. The spreading firestorm and the foul stench of burned flesh filled the air.

Miraculously, I was rescued from the rubble of a collapsed building, about 1.8 kilometres from ground zero. Most of my classmates in the same room were burned alive. I can still hear their voices calling their mothers and God for help.

As I escaped with two other surviving girls, we saw a procession of ghostly figures slowly shuffling from the centre of the city. Grotesquely wounded people, whose clothes were tattered, or who were made naked by the blast.

They were bleeding, burned, blackened, and swollen. Parts of their bodies were missing, flesh and skin hanging from their bones, some with their eyeballs hanging in their hands, and some with their stomachs burst open, with their intestines hanging out.

Within that single flash of light, my beloved Hiroshima became a place of desolation, with heaps of rubble, skeletons and blackened corpses everywhere. Of a population of 360,000—largely non-combatant women, children, and elderly—most became victims

of the indiscriminate massacre of the atomic bombing.

This is the immediate reality of nuclear weapons. There are also long-term, intergenerational effects. Cancer rates among survivors skyrocketed in the years after the Hiroshima and Nagasaki bombings. Women were **particularly affected** by the radiation, and pregnant women experienced higher rates of miscarriage and impaired growth.

Whether the alleged experts call them strategic or tactical, big or small, the experience of the detonation of even a single nuclear bomb will be catastrophic. Just as it was for those in Hiroshima and Nagasaki; just as it was for **everyone** whose lands and waters were tested upon in **Australia, Kazakhstan, Kiribati, Marshall Islands, Moruroa, United States**, and many more locations. And there is perhaps forever the trauma and moral injury—individual, social, political, and cultural.

### The madness of MAD

The horrific violence described above is from one nuclear bomb. But the core nuclear policy of all nuclear-armed states—so-called “nuclear deterrence”—is that it relies on the idea of mutually assured destruction (MAD). The strategic plans for the use of nuclear weapons envision nuclear exchange. The theory is that because such an exchange could end up destroying the entire planet, no one would dare to use them. This is alleged to have maintained “global peace and security” and “geostrategic stability” since the end of World War II.

Except, as we are seeing right now, nuclear weapons have not prevented war. They are actively **facilitating** Russia’s war on Ukraine. And Ukraine is not the first proxy war fought between the nuclear-armed states. For the last seventy years, the United States and Soviet Union/Russia have been battling for supremacy primarily using the bodies of people from other countries. In many of these wars, as in Ukraine, rather than fight each other directly, one nuclear-armed state would arm those resisting the other nuclear-armed state.

While deterrence theorists try to argue that the situation in Ukraine shows the validity of their myths—that nuclear weapons are deterring NATO from imposing a no-fly zone or declaring war with Russia—the reality is that nuclear weapons have only made a horrific war even more dangerous.

The solution to this war is not escalation. It is creating space for, and enabling an environment for, dialogue and negotiation. But nuclear weapons stand in the way of peace talks, because they are positioned in military doctrines as even more violent options to try to “win” a war. And in this attempt to “win,” there lies the possibility of nuclear war.

That same *Times* piece that talks about “small nuclear bombs” goes on to acknowledge that the use of such weapons could well lead to nuclear war. “A **simulation** devised by experts at Princeton University starts with Moscow firing a nuclear warning shot; NATO responds with a small strike, and the ensuing war yields **more than 90 million casualties** in its first few hours.” Millions more would die in the months to come. The climate crisis will be exponentially exacerbated; there could be a disastrous decline in food production and a **global famine** that might kill most of humanity.

As the 1980s film *War Games* prophetically **declared**, “The only winning move is not to play.” Former US and Soviet leaders Reagan and Gorbachev **acknowledged** a nuclear war cannot be won and must never be fought. This was recently **reaffirmed** by five nuclear-armed states.

Reagan and Gorbachev also agreed “that any conflict between the USSR and the US could have catastrophic consequences;” thus, “they emphasized the importance of preventing any war between them, whether nuclear or conventional” and said that they would “not seek to achieve military superiority.”

But the nuclear-armed states still seek “military superiority” and sustain a system in which the use of nuclear weapons is possible.

The very existence of nuclear weapons makes their use possible. As long as these weapons

exist, there is a risk that they will be detonated. As long as they exist, they will be used to threaten and intimidate. As long as they exist, they will continue to harm people where they are made and where they have been tested and produced—primarily on and near Indigenous nations and communities of colour. As long as they exist, they will extract billions of dollars towards their maintenance, **modernisation**, and deployment, when that money is so desperately needed to provide for the well-being of people and the planet, now endangered also by climate change.

### A continuum of violence

The normalisation of nuclear weapons is also part of the larger, historical project of normalising war.

In his book *The Doomsday Machine*, whistleblower and former military analyst Daniel Ellsberg explains that nuclear weapon policies grew out of the justifications for bombing cities and civilians during World War II. The willingness, and even desire, to incinerate civilians and destroy civilian infrastructure as part of the war resulted in the practices of firebombing and blanketing wide areas with explosive violence. This approach characterised the latter part of the war, with major civilian centres being deliberately targeted by allied forces long before the US detonated nuclear bombs over Hiroshima and Nagasaki.

This history provides a disturbing story of how practices previously held abhorrent become normalised during conflict. How what was once held as anathema to “civilised behaviour” becomes entrenched in doctrine and strategy.

The war in Ukraine is not unique in terms of suffering caused. War is always hell. In particular, the bombing of towns and cities causes horrific harm.

As Putin’s war in Ukraine is showing again, the **effects** of the use of explosive weapons in populated areas are indiscriminate, with a **staggering proportion** of death and injuries inflicted on civilians. The explosive blast and fragmentation kill and injure people in the area where they detonate, and damage objects,

buildings, and infrastructure. Victims and survivors of explosive weapons can face long-term challenges of disability, psychological harm, and social and economic exclusion. Destruction of infrastructure vital to the civilian population, including water and sanitation, housing, schools, and hospitals, deprives civilians of access to basic necessities and results in a pattern of wider, long-term suffering.

The potential use of nuclear weapons is an extension of the explosive violence we're already seeing in Ukraine, Syria, Yemen, Ethiopia, and elsewhere, and that we already saw in Iraq and Afghanistan, among others. The focus on a potential nuclear war also risks distracting from the lived reality of suffering from "conventional war" going on right now.

### The persistence of patriarchy

This mindset—that scores can be settled by bombing homes and hospitals, or that power can be asserted by threatening to wipe out the entire planet—is deeply patriarchal. It is based on an understanding of dominance and violence as the best ways to control and coerce others into bending to your will.

Patriarchy is reflected in every aspect of the war in Ukraine, from the conscription of men and the celebration of the warrior, to the horrific sexual- and gender-based violence being inflicted upon women, LGBTQ+ people, and children, and even to the targeting of civilians and civilian objects. The bombardment of civilian centres is a "deeply gendered strategy with no 'military advantage' other than to demonstrate the failure on the part of the Ukrainian state to protect and thereby to emasculate its leadership," **argue** feminist international legal experts Louise Arimatsu and Christine Chinkin.

The possession of and threat to use nuclear weapons is also **profoundly gendered**, with rhetoric of the nuclear-armed states consistently focused on the **size of their arsenals**, the **vitality of their bombs**, their worry of **impotence** if disarmed, and their **dismissal of "emotions"** of those concerned with the humanitarian impacts of nuclear weapons.

The patriarchy employs technostrategic language to talk about nuclear bombs, as described above, and sanitised language to talk about war—"surgical strikes," "collateral damage," "smart bombs". This patriarchal approach, which discounts and refuses to engage in discussions about the physical, legal, moral, and emotional consequences of weapons and war, has for decades effectively precluded the development of "credible" alternative narratives promoting peace and non-violence. But there are ways to confront and challenge this patriarchal perspective, and the systems of violence it upholds.

### Untying the knot of war

In a **letter** to US President Kennedy during the Cuban Missile Crisis in 1962, Soviet Premier Khrushchev eloquently described the "knot of war" that their two countries had created, and warned of the risk that they might pull the knot so tight "that even he who tied it will not have the strength to untie it." Sixty years later, that knot has been pulled tighter than ever.

Recognising the failure of the leaders of nuclear-armed states to "untie the knot"—that they cannot or will not take the necessary steps to eliminate or even reduce the risks generated by their nuclear arsenals—the vast majority of countries have revolted. They **joined forces** with activists in the International Campaign to Abolish Nuclear Weapons (ICAN) to revitalise a narrative about nuclear weapons in which the catastrophic humanitarian and environmental consequences of the use of these weapons is front and centre. Governments primarily of the global south together with ICAN **developed** a new international agreement banning nuclear weapons.

On 7 July 2017, 122 governments voted to adopt the Treaty on the Prohibition of Nuclear Weapons (TPNW). After receiving the necessary fifty national ratifications, it entered into force on 22 January 2021. This development presents a very significant challenge to nuclear weapons and to the nuclear war machines of the allegedly most "powerful" countries in the world. The TPNW shows what the world can do in the face of grave injustice and incredible risk. The countries and

the activists leading the way in this initiative understood the urgency of dismantling the system of massive nuclear violence that their neighbours and allies have built up. These non-nuclear-armed actors conceived of a role for themselves in this history, of helping to “untie the knot” by working to change the legal, political, economic, and social landscape in which nuclear weapons exist.

What remains to be seen is how those most responsible for tying the knot will respond. The prohibition of nuclear weapons opens an opportunity for leaders of nuclear-armed and nuclear-supportive states to step back from the brink, loosen the knot, and engage in the process of disarmament and demilitarisation.

But the knot is not just nuclear. Nuclear weapons are just the tip of vast systems of militarised violence that have been built through more than a century of war. It all must be undone.

This must include ending the practice of using cities as battlefields. It is a violation of international humanitarian law, yet multiple perpetrators continue to bomb and shell civilians. The Irish government is leading a **diplomatic process** for a declaration that would see states make commitments against the use of explosive weapons in populated areas, to enhance protection of civilians and compliance with international law. Ending the bombing of towns and cities would alleviate much of the immediate and long-term human suffering in armed conflict.

Yet even as many governments condemn Russia’s bombing and shelling of Ukrainian hospitals, homes, and school, some are trying to water down the draft political declaration’s commitments, to ensure they do not have to change any of their own policies or practices leading to grave civilian harm. A number of states including the United States, United Kingdom,

Israel, Turkey, Canada, and Republic of Korea have been pushing back against the creation of strong commitments to prevent the use of explosive weapons in populated areas or to address the reverberating or indirect and long-lasting impacts of destroying and damaging civilian infrastructure. Many other states, however, as well as international organisations and civil society, are pushing for a strong declaration that will help save lives and prevent suffering. Along with the prohibitions of landmines, cluster munitions, and nuclear weapons, and ongoing work on preventing autonomous weapons, the work to stop explosive violence is part of a larger project of **humanitarian disarmament**.

Collectively, these efforts help lay the groundwork for dialing back the international arms trade, weapons production, and war profiteering. The reduction of military budgets, the redirection of funds to meeting social and planetary needs, and a turn in international relations from war to diplomacy, solidarity, and care is imperative for our survival.

In November 1940, during World War II, French philosopher Albert Camus **wrote**, “We can despair of existence, for we have no power over it, but not of history, where the individual can do everything. It is individuals who are killing us today. Why should not individuals manage to give the world peace? We must simply begin without thinking of such grandiose aims.” Hope, then, is not necessarily about us as individuals being able to achieve the abolition of all forms of violence, but about the ability of us as a collective—including future generations—to drive forward the changes we need to bring peace, justice, and well-being to humankind and all relations with whom we share our lives on this planet. We can either accept and succumb to the violence, or we can work to abolish the systems and structures that enable it.

## WILPF Sections Mobilising for the TPNW

Laura Varella | Women's International League for Peace and Freedom

**W**ILPF National Sections around the world have been busy the past few years mobilising support for the Treaty on the Prohibition of Nuclear Weapons (TPNW). Here is a snapshot of just some of these recent efforts!

**WILPF Aotearoa-New Zealand** organised an **event** at Christchurch Otautahi to mark the coming into force of the TPNW.

**WILPF Australia** sent a **letter** to the prime minister calling for Australia to join the TPNW. It has also worked closely with ICAN Australian to promote the Treaty across the country.

**WILPF Cameroon** held a **press conference** about the urgency for Cameroon to ratify the TPNW. The event brought together **media representatives**, members of civil society organisations, as well as a government representative. WILPF Cameroon took the opportunity to inform the public about the devastating consequences of nuclear weapons on humanity and the environment, and explained how Cameroon's existing commitments to nuclear disarmament and the Sustainable Development Goals aligns with the ratification of the TPNW.



**WILPF Canada** encouraged people to write to Prime Minister Trudeau and Foreign Minister Francois-Philippe Champagne urging them to sign the treaty for Canada. In February 2020, Nanaimo city council passed a motion expressing concern over the threat of nuclear weapons and urged the government to join the TPNW. *Photo © Dyane Brown*

**WILPF Costa Rica** sent out letters to all the embassies on Latin America and to the nuclear nations urging them to sign and ratify the TPNW.

**WILPF Denmark** organised a **lights show** on the building of parliament to celebrate the TPNW. And at the same time, for the first time in 18 years, the question of a world free of nuclear weapons was up for discussion in parliament initiated by the section.

**WILPF Finland** co-signed a **statement** calling on the Nordic governments to sign and ratify the TPNW and work towards the establishment of a Nordic nuclear-weapon-free zone. More recently, the Section invited Dr. Tarja Cronberg for an online discussion on the threats associated with nuclear weapons to conclude WILPF Finland's annual meeting on 25 March 2021.

**WILPF Germany**, together with other peace activists, organised a vigil in front of the Munich City Hall. With this action, the Section called on the German government to join the TPNW, to end nuclear sharing within NATO and to withdraw nuclear weapons from German soil. In addition, protestors **called out** the recent classification of nuclear energy as "green" by the European Commission.

**WILPF Italy** organised a sit-in in Rome, calling on the Italian government to ratify the Treaty and, as a first step, to attend the Treaty's first Conference of States Parties as an observer, following NATO members' Germany and Norway announcements of their participation as observers.

**WILPF Spain**, together with other Spanish civil society organisations, has been advocating for the ratification of the TPNW by promoting various initiatives through the #10RazonesFirmaTPAN (#10ReasonsSignTPNW) Campaign. For the anniversary, the Section organised an **online discussion** and published



an **article** on the efforts of civil society to accelerate ratification. It also organised an **informative session** and submitted a **petition** to the Parliament of Navarra about the TPNW, which was **approved**. The City Council of Cambados (Pontevedra) has also passed a resolution on the TPNW. WILPF Spain has also carried out **several initiatives** to raise awareness about the consequences of the use of nuclear weapons, and a report about the links between nuclear weapons and their environmental impacts from a feminist peace perspective will be published soon.

**WILPF Sweden** organised an online **event** to promote greater awareness and understanding of the TPNW. Members of ICAN and WILPF discussed how civil society have worked to make this agreement happen and what the treaty will mean and lead to in the future.

**WILPF Togo** organised awareness raising workshops with civil society, and set up meetings with the Ministry of Security, urging government officials to ratify the TPNW.



WILPF's resource guide on the TPNW is meant to help WILPF members and other activists work with governments and others to ensure the Treaty's effective implementation. It provides an overview of what the Treaty includes, examples of past work, suggestions for future action, and where to find further information.

**DOWNLOAD IN ENGLISH, FRENCH, OR SPANISH**

**WILPF US branches** worked with other anti-nuclear activists on events around the country to celebrate the TPNW and draw attention to its existence. For these events, the Section provided the QR Code of a WILPF petition to the US-President and Senate asking them to sign and ratify the Treaty. WILPF US was one of 70 peace-related organizations who co-sponsored a **virtual event** on 24 April 2021 to build political support within the US Congress for the TPNW. Members of the Section prepared four **resource guides** to inform and educate the public about the TPNW.

**WILPF Zimbabwe** drafted policy documents on disarmament and a webinar titled, 'The vicious cycle of climate change and militarism.' This was held with civil society organisations and government sector ministries, to create awareness among organisations to ensure a network of organisations exert pressure on the state, including for the government to ratify the TPNW, and action towards the implementation of national laws on disarmament.



## THE NUCLEAR WEAPON BAN TREATY

A resource guide for WILPF

WOMEN'S INTERNATIONAL LEAGUE FOR  
**PEACE & FREEDOM**



# Report on the Fourth Conference on the Humanitarian Impact of Nuclear Weapons

Ray Acheson and Allison Pytlak | Women's International League for Peace and Freedom

The fourth conference on the humanitarian impact of nuclear weapons (HINW) took place in a context of fear, but also of hope. Fear, because of recent threats of nuclear weapons use alongside continuing modernisation and expansion of nuclear arsenals, but also hope because of the Treaty on the Prohibition of Nuclear Weapons (TPNW). As noted by Izumi Nakamitsu, UN High Representative for Disarmament Affairs, this fourth conference follows in the proud tradition of the first three HINW conferences, which led ultimately to the negotiation and adoption of the TPNW in 2017.

A common thread throughout the conference was that the only way to eliminate the risk of nuclear weapons is to eliminate nuclear weapons. This refrain was repeated by panelists and participants throughout the day's discussions, driving home both the necessity, urgency, and practicality of abolishing nuclear weapons. The data on impacts of past use and testing made the case for abolition most clearly: the consequences of

nuclear weapons are horrific in the immediate and long-term. The models of potential future use are almost superfluous in this context, as are the wargaming scenarios to posit risk. The risks are clear enough from the very real and explicit threats and the lived experience of the nuclear age. As Zia Mian said in his closing remarks, the only rationale response to the grave dangers of nuclear weapons is to demand what is alleged to be impossible.

## Opening ceremony

The opening ceremony included statements from Alexander Schallenberg, Federal Minister for Europe and International Affairs of Austria (video); Izumi Nakamitsu, UN High Representative for Disarmament Affairs; and Dr. Mohamed Elbaradei, Director General Emeritus of the International Atomic Energy Agency (IAEA).

A common theme across all speakers was the complete and utter unacceptability of nuclear



## NEXT STEPS BEYOND THE MSP

### Implementing the positive obligations and addressing nuclear weapons' legacies

As states parties agree actions to commence the implementation of the TPNW's obligations on victim assistance, environmental remediation and international cooperation and assistance, this side event will focus on the next steps in this work, how it should be approached, and goals for the years ahead. With experts from affected communities as well as those offering legal and policy perspectives, the event will discuss issues including how the equitable inclusion of affected communities should be approached, and new work on principles for victim assistance and environmental remediation in addressing nuclear harm.

### PANELISTS

- Alicia Sanders-Zakre, International Campaign to Abolish Nuclear Weapons (ICAN)
- Gillian Hannahs, International Human Rights Clinic at Harvard Law School
- Janene Yazzie, Nuclear Truth Project
- Dmitriy Vesselov, third generation survivor from Kazakhstan
- Joey Tau, PANG (Pacific Network on Globalisation)

Side event

Wednesday, 22 June 2022

13:15-14:45

Room 2.32-33

weapons and need for their elimination. Schallenberg described recent threats of use of nuclear weapons as irresponsible, and as bringing home that as long as these weapons exist, the possibility of their use remains. He stressed that the logic that nuclear weapons can provide security is a fundamental error and that “deterrence” theory implies a readiness to use nuclear weapons and inflict mass destruction.

Nakamitsu reminded that nuclear weapons have the potential to end all life on earth, and that use in any populated area would unleash a humanitarian and environmental catastrophe. Elbaradei quoted extensively from notable scientists and politicians to demonstrate the breadth of concern about the destructive capabilities of nuclear weapons. He additionally noted that a concept of peace based on the colonial premise that some people or states are more equal than others, or a logic of “my security is more important than yours,” are not only unjust but unsustainable. Elbaradei also urged that the time has come to cultivate a new mindset, where peace and security are approached in theory and in practice as a collective endeavour.

Nakamitsu stated that while the fourth HINW conference is an input to the First Meeting of States Parties (1MSP) to the TPNW, the discussion about the humanitarian consequences of nuclear weapons should not be confined to the TPNW states parties and supporters. She observed that an important factor in the success of the first three HINW conferences was their focus on scientific research and lived experiences of the survivors, which injected scientific and human reality into diplomatic discourse on nuclear weapons, and referenced the upcoming Tenth Review Conference of the nuclear Non-Proliferation Treaty (NPT).

### **Testimonials of survivors of nuclear weapons use and testing speakers**

The conference heard testimony of three survivors. Kido Suechi, Secretary-General of Nihon Hidankyo, recounted his experience of the bombing of Nagasaki. He described how “everything in the city seemed as if it had disappeared or turned black” and recalling seeing

bodies piled up and people begging for water. He noted as well that most people died without the ability to say farewell or reflect on their lives and their legacy and asked if we call this kind of death a human death. He explained that Nihon Hidankyo was formed in 1956 to conduct surveys and research about what the atomic bomb means for humanity. It has concluded that that this is a weapon of inhumanity and evil which does not allow us to live or die as human beings. Suechi questioned why the Japanese government has not signed or ratified the TPNW, despite overwhelming public support for the Treaty, and reiterated that the hibakusha refuse to accept use of force as means to resolve conflict and call instead for dialogue.

Suzuka Nakamura of Know Nukes Tokyo is a third general survivor from Nagasaki. Her maternal grandmother was eight years old at the time of the atomic bombings of Japan. She had been evacuated to the countryside a few days before the bombing but returned to Nagasaki to check on her house and was exposed to radiation. Nakamura noted that if her grandmother had not been evacuated, then she would not be here today. Referring to recent threats by Russian president Vladimir Putin to use nuclear weapons, Nakamura explained that hibakusha feel that fear more than anyone else and hopes that no one else will become a hibakusha. While Nakamura has been commissioned by the Japanese government to convey the reality of the atomic bombings and she is grateful for this opportunity, she regrets that the government will not participate in the 1MSP.

Danity Laukon started MISA4ThePacific in 2017 as a student. She had realised how little she and others knew about the history of nuclear weapons testing in the Marshall Islands and the Pacific region. Laukon described the physical effects of burns, forced displacement, cancers, miscarriages, and radioactive fallout. She is concerned about the health of her people, noting a rise in cancer rates at home but also among Marshallese overseas, and also about the intergenerational effects. She urged a focus on victim assistance in the upcoming discussions on TPNW implementation.

## Session I—What we Know: Key Facts on Humanitarian Consequences and Risks of Nuclear Weapons

“Nuclear weapons are like no other weapons,” said Cordula Droege of the International Committee of the Red Cross (ICRC) in her initial remarks to Session I. Describing the ICRC’s experience in Hiroshima, she reiterated the key finding from earlier HINW conferences that while the destructive power of nuclear weapons has increased dramatically, the ability to assist victims have not, and there is no effective capacity to provide appropriate assistance to survivors. The core calls from the ICRC are for states to look at nuclear weapons through the lens of humanity, in order to drive efforts on nuclear disarmament; for research on effects to continue, including with the involvement of affected communities; and for states to realise that perceived national security concerns cannot be used to delay risk reduction and disarmament measures.

James Reville of the United Nations Institute for Disarmament Research (UNIDIR) outlined findings from UNIDIR’s 2014 report, *Illusion of Safety*, which describes the physical impacts of a nuclear detonation and the health, economic, social, and logical consequences. Drawing upon lessons from the COVID-19 pandemic, Reville noted underfunding, inconsistencies, inequalities, misinformation, lack of trained personnel—and safety for them—and lack of coordinated global leadership as key challenges to responding to a nuclear detonation. He argued that confidence in the ability to effectively respond “is the prerogative of the ignorant.”

Patricia Lewis of Chatham House offered some examples of the near use of nuclear weapons, ultimately arguing that our survival in each of these cases has come down to individuals. The personalities of those making decisions matters—and these are not political leaders, they are just doing their jobs. After each crisis, she noted, it takes years for this information to be revealed. But also, after each crisis, the human response is to say, deterrence worked—even though in reality, the systems failed and individuals saved our lives. While it’s impossible to determine the probability of the use of nuclear weapons, we do know the

risks are high, and that in crises they get even higher. The thing that dominates in a crisis is uncertainty.

Mary Olson of the Nuclear Information and Resource Service (NIRS) noted that the information we have now on how survivors were impacted by radiation is derived from people the United States subjected to studies without offering medical assistance. She explained that nuclear colonialism is responsible for disproportionate impacts on Indigenous people, that children’s cells more likely to be damaged because they are rapidly growing, and that girls and women are more likely to develop cancer at some point in their lives.

During a moderated discussion with Ambassador Alexander Kmentt (Austria), Ambassador Steffan Kongstad (Norway, retired) described the history of the humanitarian initiative and explained how it moved from the abstract to the concrete and brought survivors into discussions. He also highlighted the key role of the International Campaign to Abolish Nuclear Weapons (ICAN) to engage the public and lead as a dynamic civil society movement. He noted that as with climate change, we must overcome ignorance in order to take action. Picking up from this point, Ambassador Kmentt noted that scientists warned about climate change for decades, but no actions were taken until islands began sinking and rainforests started to burn. He warned we cannot do the same with nuclear weapons.

During this discussion, UN High Representative for Disarmament Affairs Izumi Nakamitsu noted the combination of the humanitarian approach and taking risks seriously will add renewed energy to nuclear disarmament. She said the end point must be the elimination of all nuclear weapons. Droege of the ICRC likewise said the value of the humanitarian approach is that it is realistic, that it “brings realism back into the room.” She outlined how the ICRC tries to do this for all weapons by assessing their impacts, but they are often told that some weapons can be more precise, save lives, etc. Since these arguments cannot realistically be made for nuclear weapons, the abstraction goes even further, and we are told these weapons guarantee

peace. Of course, this is also absurd: as long as these weapons exist, there is a risk they will be used.

During the Q&A, participants highlighted the framework that the Treaty on the Prohibition of Nuclear Weapons has provided for starting to respond to some of the harms have been caused by nuclear weapons, including through its victim assistance and environmental remediation provisions. During this discussion, the Droege called for attention to be paid to the gendered dimensions of the social and psychological impacts of nuclear weapons, while Olson called for further research into the physical gendered impacts as well as impacts for other species and the planet.

### **Address by John C. Polanyi**

An address by Nobel Peace Laureate John C. Polanyi offered a scientific reflection on the role of disarmament in safeguarding our common future. He observed that this conference contemplates the consequences of nuclear war, from which we have been saved over the last 70 years by “no more than a notional taboo. However, the legislation now exists to transform that taboo into law” and that legislation is the TPNW.

### **Session II—Impact of nuclear weapons on people and the planet: new developments and findings**

This session highlighted new findings on the impact of nuclear weapons on humans, climate, food security, the environment, health, and communities.

At the start of his presentation, Moritz Kütt of the University of Hamburg explained that his research has been premised on recent speculations by news commentators about what the effects of using “small” nuclear weapons, prompted by recent statements by Russia in relation to the war in Ukraine. While efforts by nuclear-armed states to develop smaller and “more usable” nuclear weapons are not new, there is a renewed interest in this topic. He concluded that there are actually no small nuclear weapons—their known effects are not small and there are unknown effects

whose scale we cannot predict. He observed that if anything, most bombs today are larger and more devastating than those used on Hiroshima and Nagasaki. He also encouraged more research about what the psychological and social impacts would be if there was a nuclear incident, in a digitally connected world.

Michael J. Mills of the National Center for Atmospheric Research presented his research on the impacts of nuclear war on global climate and ozone loss. He explained that even a regional nuclear war, such as between India and Pakistan, would have global impacts on climate. Smoke from the firestorms that occur after a city is bombed rise high into different levels of the atmosphere, which block sunlight and cause a decrease in temperature on earth but also heats the stratosphere. The dramatically cooled temperatures would affect food supply by eliminating agriculture and leading to mass starvation, creating a “nuclear winter” particularly in the event of a larger nuclear war between Russia and the United States.

The presentation from Kim Scherrer from the University of Bergen further examined how nuclear war could disrupt the global food system. Building on some of the environmental impacts identified in the previous presentation, such as temperature cooling, darkening, and less precipitation on land and sea, her presentation outlined how global food security would be compromised. Scherrer has used global crop models to estimate the impact on food production, which anticipates an average decline in food production of 11 per cent in five years, and that existing reserves would be exhausted within a few years. She noted however there are limitations to this analysis, but that even a regional nuclear war would lead to these impacts.

Alexander Glaser of Princeton University delivered a presentation on behalf of Sébastien Philippe of Sciences Po Paris, which illustrates Philippe’s recent research into assessing the radiological impact from past nuclear tests. After providing a brief overview of nuclear weapons testing, Glaser explained that Philippe’s research provides a modelling framework to understand the radiological impact of several of those tests. The

framework is based on open-source software and that some of the tools and data which were used in this study are also used in research to study climate, which builds synergies with that area of work. There were many partners in this research project, including journalists. The first case study produced focused on the French testing in the Pacific and the impact on French Polynesia (the Moruroa Files). Glaser highlighted the findings, which demonstrated a combination of factors led to more people and areas being exposed to radiation than from any other test in the region.

The final presentation in this session came from Togzhan Kassenova with the Center for Policy Research, SUNY Albany who looked the continued legacy of Soviet nuclear testing in Kazakhstan. A core message of her presentation was around the importance of the “human component” being part of the conversation whenever nuclear policy discussions are happening. “We have data and the facts on the ground. People are paying the price of nuclear testing and the minimum that can be done is to not forget them when high-level debates are happening in nice capitals, in abstract and disconnected ways” she said. Kassenova described the efforts to understand the full impact of Soviet nuclear testing in the Semipalatinsk area of Kazakhstan. While any harm to people or the environment was denied by the Soviet government, this is false and in fact, the Soviets were very interested in understanding these effects as part of their military strategy. She described that assistance to victims is lacking and is hopeful about articles 6 and 7 of the TPNW. Justice and fairness needs to also be pursued.

Rebecca Jovin, Chief of Office of the United Nations Office for Disarmament Affairs (UNODA) at Vienna moderated the session. During the discussion, speakers reflected on if the different dimensions of impact and related research can come together. Kütt reflected that these impacts are all interconnected and reinforcing of one another but that it is not necessary to study them together, because “there is no combination of effects that make the weapon usable.” Mills echoed this point and Scherrer pointed out that there are also interactions we have not talked about.

Questions from the floor and online were about what the development and use of open-source software on impacts means for the need for government data; technical questions about some of the research findings that were presented; and if there is existing research about the impact of globally destabilising events like the pandemic on economic supply.

### **Session III—The Risks of Nuclear Weapons, the Threat of Use, and Nuclear Deterrence**

The final session of the day focused on the risks posed by the threats of use of nuclear weapons and by nuclear deterrence theory.

Hans Kristensen of the Federation of American Scientists gave an overview of nuclear arsenals and rhetoric of doctrines. He noted that since the end of the Cold War the size of arsenals has been drawn down, but argued that numbers are poor indicators in terms of risk. Stockpiles are being modernised and expanded, and nuclear rhetoric, including threats of use, have increased and become more bellicose and specific. Conversations about “low-yield” nuclear weapons are coming back, even though the idea of use of such weapons was ruled out in previous decades.

Tytti Erästö of the Stockholm International Peace Research Institute (SIPRI) outlined some of the challenges to nuclear weapons posed by technological evolution, which increase uncertainties and could even motivate first use of nuclear weapons. The assumption that technological advances increase the reliability of nuclear weapon systems is not correct; they have instead created new vulnerabilities. Many of the developments, which focus advancement of weapon accuracy and speed through remote sensing and digital information given rise to arms races and fears of preventative attack that could create a “use it or lose it” pressure that leads to first strikes. Erästö said the only way to eliminate risk is to eliminate nuclear weapons, and in the meantime, we need serious risk reduction measures and reductions of arsenals.

Daryl Kimball of the Arms Control Association highlighted that Russian President Putin’s threats have raised a spectre of use of nuclear weapons

that we haven't experienced in the post-Cold War era. However, he also drew parallels between the Russian and US nuclear doctrines, wherein nuclear weapons could be used in response to non-nuclear threats in both cases. Theories that nuclear war can be limited are just theories, said Kimball. Once nuclear weapons are used, there is no guarantee that it will not quickly become nuclear conflagration. He also argued that Putin's invasion of Ukraine underscores the fact that nuclear weapons don't prevent wars; they facilitate wars and make them more dangerous. He said that 1MSP is an important opportunity to reinforce norms against use and threat of use, as is NPT Review Conference.

Eva Lisowski of the Asia-Pacific Leadership Network presented a report about under what conditions might nuclear weapons be used in Northeast Asia, which covers 27 variants of "use cases". The key policy lessons in the report include exercising patience, separating international relations from domestic policy concerns, anticipating potential breakdowns in communications, insulating key systems from electronic bursts, and better understanding current and evolving military doctrines. She urged states to work to prevent these "uses cases" from happening even if they are perceived as unlikely.

Zia Mian of Princeton University's Program on Science and Global Security described the risks of the nuclear situation in South Asia, explaining how history and geography matter. Pakistan and India have never been allies, while even the US and Russia have been in the past. They have an unresolved dispute over Kashmir. Both are modernising and expanding their nuclear arsenals and delivery systems. The time it takes to attack each other's capital city is less than 5 minutes; between the US and Russia this is about 30 minutes. Command and control is meaningless in 5 minutes, he noted, and stories that run through your mind matter in those moments. Mian also talked about the language South Asian leaders use, highlighting the role of nuclear blackmail and coercion and the illusion of control.

"Our fundamental problem in nuclear age is the problem of the state," argued Mian. States make wars. Wars make monsters of people. No state has ever asked its people if it wants to be defended by mass murder. Public opinion seeks a world free of nuclear weapons even in the nuclear-armed states. Thus, nuclear weapons are a problem of the structure of power and lack of accountability. But we never know when or how things will change, and so we must "demand the impossible today."



# NUCLEAR BAN DAILY

Reaching Critical Will (RCW) is the disarmament programme of the Women's International League for Peace and Freedom (WILPF), the oldest feminist peace organisation in the world.

RCW works for disarmament and the prohibition of many different weapon systems; confronting militarism and military spending; and exposing gendered aspects of the impact of weapons and disarmament processes with a feminist lens.

RCW also monitors and analyses international disarmament processes, providing primary resources, reporting, and civil society coordination at various UN-related forums.

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